

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL No. 2804

Case No. 1:17-MD-2804

**THIS DOCUMENT RELATES TO:
ALL CASES**

Judge Dan A. Polster

**MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANT,
MIAMI-LUKEN, INC.**

Thomas J. Hurney, Jr., Laurie K. Miller and Jackson Kelly PLLC (hereinafter “Jackson Kelly”) and respectfully request leave of this Court to withdraw as counsel for Defendant, Miami-Luken, Inc. (hereinafter “Miami-Luken”). In support of this Motion, Jackson Kelly states as follows:

1. For professional and business reasons, and after discussions with Miami-Luken, Jackson Kelly moves to withdraw as counsel for said Defendant herein pursuant to Rule 1.16(b) of both the Ohio and West Virginia Rules of Professional Conduct.¹
2. As required by these rules and Rule 83.9 of the Local Civil Rules of the Northern District of Ohio, Jackson Kelly PLLC has provided written notice to Miami-Luken of its intention to withdraw as counsel. By this motion, Jackson Kelly provides notice to the other parties in this litigation and to the Court’s appointed Special Masters.
3. Representatives of Miami-Luken, Inc., are aware that Jackson Kelly is seeking to withdraw from its representation of Miami-Luken in this matter and the reasons therefore.

¹ Mr. Hurney and Ms. Miller are licensed in West Virginia and appeared as visiting attorneys in this MDL.

4. Prior to this filing, Jackson Kelly provided Miami-Luken with notice of its intent to withdraw and a copy of a draft of this Motion to Withdraw as Counsel by electronic mail. Jackson Kelly is also serving Miami-Luken with a copy of this Motion by first-class and electronic mail.

5. Miami-Luken has advised Jackson Kelly that it does not object to this motion for withdrawal. Miami-Luken will continue to be represented by Richard Blake, McDonald Hopkins, who has previously appeared in this MDL proceeding as counsel for Miami-Luken.

6. Withdrawal of Jackson Kelly will not have a material adverse effect on the interests of the client, particularly since Miami-Luken is not a Defendant in either of the two tracks of cases being set for trial.

5. If further evidence establishing good cause is required by the Court, Jackson Kelly respectfully requests this Court schedule a hearing in this matter at which time it may provide the reasons for why it has good cause for moving to withdraw from its representation of Defendant.

6. A proposed Order granting this Motion is attached as Exhibit A.

WHEREFORE, Jackson Kelly respectfully requests this Court grant its Motion to Withdraw as Counsel for good cause shown or, in the alternative, schedule a hearing at which time Jackson Kelly can present its specific reasons, under seal, for moving to withdraw as counsel for the Miami-Luken, Inc.

Respectfully submitted this 20th day of March 2019.

/s/ Laurie K. Miller
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Counsel for Miami-Luken, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2019 a copy of the foregoing ***Motion to Withdraw as Counsel for Defendant, Miami-Luken, Inc.*** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Laurie K. Miller

Laurie K. Miller